

Notice of Allowability

Application No.

10/027,924

Examiner

Dennis Rosario

Applicant(s)

RATNER ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amt. 2/3/2005.
2. ☒ The allowed claim(s) is/are 6-19 and 21.
3. ☒ The drawings filed on 19 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James K. Okamoto on May 23, 2005.

The application has been amended as follows:

Claim 19, line 9, change --segments.-- to --segments;--.

Claim 19, line 10, insert --means for subtracting the blur contributions from color vectors of the boundary pixels to remove blurring from the particular two-dimensional segment.--.

Cancel claim 20.

Response to Amendment

2. The amendment was received on February 3, 2005. Claims 6-19 and 21 are pending.

Specification

3. Due to the amendment, the objection to the specification is withdrawn.

Claim Objections

4. Due to the amendment, the objection to claims 1,4 and 12 are withdrawn.

Response to Arguments

5. Applicant's arguments, see amendment, page 10, lines 9-11, filed 2/3/2005, with respect to claim 12 have been fully considered and are persuasive. The rejection of claim 12 has been withdrawn.

6. Applicant's arguments, see amendment, page 11, third paragraph from the bottom, filed 2/3/2005, with respect to the rejection of claim 19 under Sullivan (USP 5,070,413) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Chen (USP 5,974,172 A) or Richards et al. (USP 5,198,902 A). However, due to the examiner's amendment, these grounds of rejection are moot as described below.

Allowable Subject Matter

7. Claims 6-19 and 21 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 6 and 8 are allowed for the same reasons of a previous action, the contents of which are incorporated by reference, dated 11/1/2004. Thus, dependent claims 7 and 9-11 are allowed.

Claim 12 is allowed as applicant's properly point out, starting on page 10 of the remarks, "As such, Sullivan et al. does not pertain to **two-dimensional** segments of an image. Moreover, Sullivan et al. does not identify boundary pixels in a boundary region near a border between a segment and one or more adjacent segments." Hence, and in view of applicant's arguments, amendment, and in combination with all of the other elements of the claim, claims 12-18 are allowed.

Claim 19 is allowed due to the examiner's amendment and for the limitation of claim 20 of means for subtracting the blur contribution from color vectors of the boundary pixels to remove blurring from the particular two-dimensional segment. The prior art does not teach this feature.

Similar art such as Chen (USP 5,974,172 A) teaches a method of blending with vectors that results in blurring as shown in fig. 17. However, the claimed means for subtracting the blur contribution from color vectors is not provided. A suggestion of the claimed subtracting is shown in fig. 17, label "g-Co." However, Chen does not provide enough details as to what "g" is and the relation of "g" to Co.).

Another prior art, Richards et al. (USP 5,198,902 A) teaches blending as shown in fig. 3D using vectors from fig. 4,num. 12: Vector-Steered Interpolator. However, the vectors from fig. 12,num. 12 are used for "interpolation" in col. 4, line 49 of "new...frames" in col. 4, line 48. Richards et al. does not suggest any means of subtracting the vectors to create new frames via interpolation.

In addition, Gosset et al. (USP 6,606,093 B1) teaches blending using vectors as show in fig. 5, numerals 301-309. However, the vectors are not used for subtraction. Thus, dependent claim 21 is allowed. Note that claim 20 was canceled.

The benefit of claim 19 processes stark boundaries of segments which may be softened realistically.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Rosario whose telephone number is (571) 272-7397. The examiner can normally be reached on 6-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571)272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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